

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 92-CR-81127-30

DONALD JACKSON,

HON. AVERN COHN

Defendant.

_____ /

**ORDER GRANTING DEFENDANT AN EXTENSION OF TIME
TO FILE A NOTICE OF APPEAL**

This is a criminal case. Defendant Donald Jackson filed a motion under 18 U.S.C. § 3582(c)(2). On November 2, 2005, the Court denied the motion. Under Fed. R. App. P. 4(b), defendant had ten (10) days in which to file a notice of appeal. Defendant did not file a notice of appeal until December 5, 2005. However, in the notice of appeal, defendant stated he did not receive the Court's decision until November 26, 2005. On March 14, 2006, the Court of Appeals for the Sixth Circuit remanded the case "for the limited purpose of considering the notice of appeal as a Fed. R. App. P. 4(b)(4) motion for an extension of time."

Because defendant's notice of appeal was filed within 30 days from the expiration of the appeal period, and for good cause shown, the motion is GRANTED.

SO ORDERED.

Dated: March 17, 2006

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

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Proof of Service

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 17, 2006, by electronic and/or ordinary mail.

s/Julie Owens

Case Manager
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